

California Rehabilitation Oversight Board Minutes August 5, 2009 Meeting

The California Rehabilitation Oversight Board (C-ROB) met in open session on August 5, 2009, at the CSAC Convention Center, 1020 11th Street, 2nd Floor, Sacramento, California.

Board members: Present at the meeting was David Shaw, Inspector General (Chairman); Matt Cate, Secretary, Department of Corrections and Rehabilitation (CDCR); Debra Jones, Administrator, Adult Education Programs (Designee for Superintendent of Public Instruction); José Millan, Vice Chancellor, California Community Colleges (Designee for Jack Scott, Chancellor, California Community Colleges); Renée Zito, Director, State Department of Alcohol and Drug Programs; James Rostron, Chief, Forensic Services Branch, Long Term Care Services, Department of Mental Health (Designee for Stephen Mayberg, Director, Department of Mental Health); Susan Turner, Professor, University of California, Irvine (President of the University of California appointee); Bruce Bikle, Professor, California State University, Sacramento (Chancellor of California State University appointee); Gary Stanton, Sheriff, Solano County (Governor appointee); Loren Buddress, retired Chief Probation Officer, San Mateo County (Senate Committee on Rules appointee); and, William Arroyo, Regional Medical Director, Los Angeles County Department of Mental Health (Speaker of the Assembly appointee).

Office of the Inspector General staff: Barbara Sheldon, C-ROB Legal Counsel; Laura Hill, C-ROB Executive Director; Ann Bordenkircher, C-ROB Secretary; and Jamie Sammut, C-ROB analyst.

Panel Presenters: California Department of Corrections and Rehabilitation staff: Elizabeth Siggins, Chief Deputy Secretary, Adult Programs (A); Steven Chapman, Assistant Secretary, Office of Research; and Peggy Ritchie, Deputy Director, Office of Program Quality Assurance, Adult Programs.

Public Comments: David Warren, Lobbyist, Taxpayers for Improving Public Safety (TiPS); Susan Lawrence, M.D., Executive Director, The Catalyst Foundation; Debra Tidwell; Marion House; David Mashore; Tommy Wickerd, II; David Bruyette; Mara Taub; Elizabeth Esterly; Kim Chan; Diane Pendola; Margaret Mercado; and Susan Scott.

Item 1. Call to Order

Chairman Shaw called the meeting to order at 1:33 p.m.

Item 2. Introductions and Establish Quorum

After introducing OIG staff, Chairman Shaw asked the board members to introduce themselves.

Item 3. Review Agenda

Chairman Shaw stated the purpose of the meeting was to receive information in preparation of the C-ROB September 15, 2009 biannual report, which will cover CDCR rehabilitative programming progress between January and July, 2009.

Item 4. Review and Approve Minutes from June 17, 2009 Board Meeting

On motion made and seconded, the June 17, 2009 minutes were unanimously approved, noting that the word budget was misspelled on page 3 and is to be corrected in the approved and posted minutes.

Item 5. California Department of Corrections and Rehabilitation Budget Update

Elizabeth Siggins, Chief Deputy Secretary, Adult Programs (A) commented that the Legislature is on summer recess and has not had an opportunity to vote on the \$1.2 billion reduction mentioned at the June 17, 2009 board meeting. Ms. Siggins stated that the department anticipates a further reduction of \$250 million to programs, although depending on how the gap is closed, the dollar amount could be different. It is thought that the Legislature will take up the subject on August 17, when it reconvenes.

Secretary Cate added that while the department put forward a plan to achieve the \$1.2 billion cut, a slightly different plan came out of the Budget Conference Committee. Secretary Cate said the department continues to work with its stakeholders to modify the plan in an attempt to meet the reduction. Those plans include cutting between 400 to 500 administrative staff, and cuts within the adult rehabilitative programming as well as at the Division of Juvenile Justice.

The Secretary indicated that CDCR is proposing a prison population reduction package that may include (1) alternative custody options for lower-risk offenders; (2) risk-based parole supervision and lower agent caseloads; (3) commutation of select deportable criminal aliens; (4) adjusting property crime thresholds and/or changing crimes to misdemeanors; and (5) positive behavior and rehabilitation program credit enhancements.

Item 6. Progress Report From the California Department of Corrections and Rehabilitation on Rehabilitation-Related Efforts

Elizabeth Siggins, Chief Deputy Secretary, Adult Programs (A) started with a PowerPoint presentation to update the board on the California Logical Model implementation status statewide and at the Proof Project, and shared lessons learned from the Proof Project. Topics covered the steps necessary to implement the California Logic Model - assessing risk, assessing needs, developing a case management plan, delivering programs, measuring progress, preparation for re-entry, and reintegrate/follow-up. Portions of the detailed information presented will be in C-ROB's September 15, 2009 biannual report.

Steven Chapman, Assistant Secretary, Office of Research also presented PowerPoint slides, but covered data for Appendices A through F that will be attached to the C-ROB September 15, 2009 biannual report. Data on Appendix A1, Summary Identifying the Rehabilitative Needs of Offenders, reflects the institution population to be 170,186, derived from the Offender Base Information Systems (OBIS) data as of April 30, 2009. This data was collected only for the main institutions.¹ Percentages for

¹ Population omitted from the OBIS data (13,027) is comprised from Community Correctional Facilities, California Out-of-State Correctional Facility Programs, Legal Processing Unit, LPU/Family Foundation Program, LPU Female Rehabilitative Program, LPU Prisoner Mother Programs, Re-entry Program Regions 1, 2, 3 and 4, Re-entry Program Region 4, Rio Consumnes Correctional Facility, and Santa Rita County Jail.

each institution were provided for Risk to Recidivate, Academic/Vocational, Substance Abuse, Anger, Criminal Thinking, Family Criminality, and Sex Offending. Data was also provided for Appendix B: Determining Gaps in Rehabilitative Services; Appendix C: Determining Levels of Offender Participation and Offender Successes for Academic, Vocational, Substance Abuse Programs; Appendix D: Program Completion; Appendix E: Totals for Appendix A (Institution); and, Appendix F: Totals for Appendix A (Parole).

Data provided to the board is through April 30, 2009. Dr. Chapman explained that there is a serious lag between the end of a data reporting period and the time the data is received. He stated that at the end of a reporting period, the data is sent in, but that it takes one to three months for the data to be cleaned. Dr. Chapman said it is a lot of work for a small number of staff.

Peggy Ritchie, Deputy Director, Office of Program Quality Assurance (OPQA) said her office supports excellence in CDCR's rehabilitative programs and the California Logic Model by providing formative evaluations, program development, continuous quality improvement and technical assistance to ensure fidelity and quality. The OPQA also assists the Office of Research and the field in quality improvements, monitors case plans, reviews curricula/lesson plans, and establishes process performance measures for the California Logic Model.

Utilizing PowerPoint slides, Ms. Ritchie discussed some of the steps taken by the OPQA to achieve implementation of the steps of the California Logic Model:

- the selection and utilization of a risk assessment tool to assess offender's risk to reoffend
- determination of offender rehabilitation treatment programming based on criminogenic and other needs
- create and monitor a case plan for each offender
- select and deliver a core set of programs covering the six major offending programming areas to prison and communities
- develop systems and procedures to collect and utilize programming process and outcome measure
- develop and strengthen formal partnerships with community stakeholders
- modify programs and services delivered in the community to ensure those services meet criminogenic needs, assist returning offenders and identify and reduce risk factors
- develop community as a protective factor against continuing involvement in the criminal justice system
- develop structured guidelines to respond to technical parole violations based on the risk to reoffend level of the offender and the seriousness of the violation

Following all of the presentations, there were inquiries by the board as to development of the CALM program, the positive impact of cognitive skills programming, staff training, cultural issues, community college partnerships, and expanding family services at each prison.

Public comment following the CDCR presentations:

Susan Lawrence, M.D., Executive Director, The Catalyst Foundation commended CDCR staff for rehabilitation efforts during difficult times. Dr. Lawrence stated that inmates must be allowed to feel part of the process and that they have worth and value.

David Warren, Lobbyist, Taxpayers for Improving Public Safety (TiPS) expressed concerns on the high turnover within the correctional counselor classification as much time, energy and cost goes into training that classification to conduct the COMPAS assessments. Mr. Warren believes that CDCR should be provided with statistics on the COMPAS evaluator's knowledge and experience because unless the person is well-trained, the information gathered could be skewed and inaccurate.

Item 7. Future Agenda Items

When asked about discussing the roles and responsibilities of board members, Chairman Shaw replied that due to the CDCR budget reductions and potential changes to programming, it had been decided to table the subject and address it at a future meeting.

Item 8. Future Board Meeting Schedule

Laura Hill, C-ROB Executive Director, advised the board that the writing committee was working on the September 15, 2009 biannual report. Ms. Hill stated that future meeting dates would be selected at the September 2 board meeting.

Item 9. Public Comment

Chairman Shaw commented that with 12 speakers, time would be limited to 3 minutes each for public comment.

Susan Lawrence, M.D., Executive Director, The Catalyst Foundation thanked Secretary Cate for his visionary leadership in supporting the Honor Program. Dr. Lawrence stated that implementation of the Honor Yard is moving very slowly and mentioned steps that could be taken to speed up the progress, such as staff empowerment at the institution, more rapid movement and transfer of unqualified inmates, and consideration of expanding the Honor Program throughout CDCR.

Debra Tidwell, a retired correctional officer, said the Honor Program brings together inmates of all races, creed, color, religions, and political parties. She believes she retired healthy and without injury because she was assigned to the Honor Yard.

Marion House has a husband who participates in the Honor Program. She believes that this program not only makes a difference in the men and staff on the yard, but also in the family unit. Ms. House states the Honor Program has allowed her husband the opportunity to become a good man, a loving husband, father, and son. Her husband has found value in helping others through Criminals Reaching Out to People (CROP), a program available through the Honor Program.

Dave Mashore, Director of the Catalyst Foundation's Creating a Healing Society Program, stated that he would like to see the art program, as well as CROP, reinstated on the Honor Yard. He advised that inmates involved in the Honor Program are working hard to keep programs open and want to make a positive difference in the world. Mr. Mashore stands firm in his belief that the Honor Program has proven its effectiveness and encouraged CDCR to remove the unqualified inmates from the yard.

Tommy Wickerd, II, told the board how his dad had made wrong choices in life and instead of being a dad at home is an inmate in an institution. He is proud of his dad's decision to join the Honor Program. He told of how his dad received an award through the CROP program, where he is a leader and teaches children how not to get into trouble. Tommy stated that because of the Honor Program, he gets to visit with his dad often, and his dad is the best dad he can be from inside prison. Tommy believes the Honor Program creates the right incentives for inmates to want to be good men, living good lives, so they can go home to their families.

Dr. David Bruyette urged CDCR to push forward with implementing the Honor Program. He believes it to be a fiscal investment as well as in the personal best interest for all concerned. He would like to see the Honor Program implemented throughout the prison system.

Mara Taub, Director, Prison Project, Santa Fe, New Mexico, provides information and advocacy to prisoners nationally since 1970. She has had contact with many California inmates. She has recently become aware of the Honor Program, which is similar to programs in New Mexico. Her experience is that these programs are statistically evidence-based, lowers recidivism, reduces cost, provides an opportunity for inmates to have meaning to their lives, and develops skills and life goals. Ms. Taub believes the Honor Program to be a model for the whole country.

Elizabeth Esterly, stated that she is concerned that inmates do not always receive the care and programs needed to help them change. As a taxpayer, she pays for the inmate to serve time, pays when they go back in, and has to live with them when they are released. Ms. Esterly believes the Honor Program to be a win-win situation for all - the inmates learn self-control; the guards work under less dangerous work conditions; and society wins when the parolee returns to his community as a contributor, not a taker. Ms. Esterly said the Honor Program principles of no violence, no gangs, clean and sober, and self-improvement are worthy of CDCR's full, immediate, and on-going support.

Kim Chan, has a brother serving a lengthy sentence in Lancaster. Since joining the Honor Program, the family has seen positive changes in him as he has become a more productive member of his prison community, taken on leadership roles, and completed a two-year associates degree program. Ms. Chan stressed that the Honor Program needs to be implemented timely so that the positive culture gained is not lost.

Diane Pendola, Director, Sky Line Harvest, a non-profit organization providing assistance to women in county jails and prison since 1988, observes that many inmates within the prison system become sicker, and are more prone to violence and addictions. After observing the Honor Program, she believes it to be a shining light, teaching society how to do things better. Ms. Pendola asks that the Honor Program be allowed to shine throughout the prison system.

Margaret Mercado, shared with the board that she has a son involved in the Honor Program, which is a positive, good thing going on within a broken system. She believes the men involved with the Honor Program appreciate the benefits of a non-violent, no gang, no drug environment. She states it is a great personal choice for these men to strive to meet the qualifications for this credible program. Ms. Mercado states that the Honor Program saves money, is an incentive for programmers to improve and maintain good behavior. Ms. Mercado displayed some of the artistic envelopes created by her son in the art program available through the Honor Program. She encouraged CDCR to endorse the Honor Program.

Susan Scott, has a nephew on the Honor yard. She expressed thoughts that the Honor Program is not something in a pilot stage with unknowns, but it is a very proven program. Ms. Scott believes the question should be “why not” to a program that is already in place, already working, and already saving money.

Item 10. Adjournment

There being no further business, the meeting was adjourned at 4:40 p.m.

C-ROB Secretary

Dated

(These Minutes are posted on the web at www.oig.ca.gov.)